

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Earl Harris Bennett**

**Docket No. 2:10-CR-17-2FL**

**Petition for Action on Supervised Release**

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Earl Harris Bennett, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute and Distribution of More Than 50 Grams of Cocaine Base (Crack) and a Quantity of Marijuana Within 1,000 Feet of the Real Property Comprising a Public or Private School or Playground, in violation of 21 U.S.C. §§ 846 and 860, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on May 20, 2011, to the custody of the Bureau of Prisons for a term of 90 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 10 years. On August 14, 2013, the court granted the defendant's motion under 28 U.S.C. § 2255 to vacate and correct sentence. On September 6, 2013, the defendant was resentenced to 45 months imprisonment.

Earl Harris Bennett was released from custody on January 3, 2014, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On November 9, 2017, Bennett submitted to urinalysis that tested positive for cocaine use. On November 20, 2017, the undersigned probation officer confronted the defendant regarding the violation. Bennett signed an admission form indicating he used cocaine on November 5, 2017.

As a sanction for the violation, the probation officer respectfully recommends the conditions of supervised release be modified to include the DROPS Program at the second use level.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

**Earl Harris Bennett**  
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**Petition For Action**  
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Reviewed and approved,

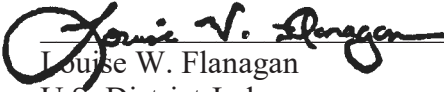
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam  
Melissa K. Gonigam  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: (252) 830-2345  
Executed On: November 29, 2017

**ORDER OF THE COURT**

Considered and ordered this 30th day of November, 2017, and ordered filed and  
made a part of the records in the above case.

  
\_\_\_\_\_  
Louise W. Flanagan  
U.S. District Judge